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Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities
Resumed eighth session
New York, 5 December 2006

Letter dated 5 December 2006 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman

I have the honour, as the Chairman of the Group of Arab States for the month of December 2006, and on behalf of Algeria, Bahrain, the Comoros, Djibouti, Egypt, Iraq, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen, to inform you that the aforementioned States are joining the consensus on the Convention, based on the understanding that legal capacity, mentioned in paragraph 2 of article 12 of the Convention, entitled "Equal recognition before the law", means the capacity of rights and not the capacity to act, in accordance with the national laws and legislation of these States.

We kindly request that the present letter be included in the report of the Ad Hoc Committee. We will be presenting it to the General Assembly when the text of the Convention is submitted prior to its adoption.

(*Signed*) Hamad **Al Bayati**
Chairman of the Group of Arab States for the month of December 2006
Permanent Representative of Iraq to the United Nations

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Letter dated 5 December 2006 from the Permanent Representative of Finland to the United Nations addressed to the Chairman of the Committee

I have the honour of writing to you on behalf of the European Union and the delegations of Andorra, Armenia, Australia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Iceland, Israel, Moldova, Monaco, Norway, Romania, San Marino, Serbia, Switzerland, the former Yugoslav Republic of Macedonia and the United States of America.

The above-mentioned delegations reaffirm that they are prepared to join consensus in accepting the changes to the Arabic translation of the text of the draft Convention on the Rights of Persons with Disabilities and the draft Optional Protocol, based on the understanding that the changes are technical in nature, as we have been assured, and do not create a conflict with article 50 of the present draft convention, which states that the Arabic, Chinese, English, French, Russian and Spanish texts shall be equally authentic, or with article 33, paragraph 3, of the Vienna Convention on the Law of Treaties, which states that "The terms of the treaty are presumed to have the same meaning in each authentic text".

According to article 12, paragraph 2, of the draft Convention, "States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life". It is our understanding that the concept "legal capacity" has the same meaning in all language versions.

It is on the basis of this understanding that we are ready to join the consensus. We would also request the inclusion of this letter in the report of this session.

(*Signed*) Kirsti **Lintonen**
Representative of the Presidency of the European Union
Permanent Representative of Finland to the United Nations

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